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PRMT-SECTION

KENNETH R. BUCKLEY
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September 29, 1994

Mr. Art Groner, Chief
Hazardous Waste Enforcement Section
P.O. Box 176
Jefferson City, MO 65102

RE: Permit No. MOD059200089

Dear Mr. Groner:


In reference to the settlement agreement between Doe Run and MDNR, Compliance Order #VII-94-H-0003, we are requesting clarification regarding condition No. 4, specifically, the sentence whereby Doe Run ... shall provide for completion of the permitted storage area no later than four months after permit approval by the MDNR.

Based on conversations between MDNR representative, Rob Morrison, and Doe Run representative, Doug Bice, it is anticipated that the permit modification approval will occur in the immediate future. Our concern is that if approval is given prior to the onset of the winter season, construction activities (i.e. setting concrete) associated with the permit modification could be significantly impacted during severe weather conditions. Discontinuation of construction activities during such a situation would obviously jeopardize the four month deadline specified in the settlement agreement.

Since Doe Run has provided all permit modifications associated with the settlement agreement in a timely manner, we believe this condition should be reevaluated by MDNR and we would appreciate a response from your office addressing this issue.

Should you have any questions please contact Doug Bice at 314/626-3406.

Sincerely,



Kenneth R. Buckley
General Manager



R00317553
RCRA RECORDS CENTER

xc: Deborah Kennedy - EPA
Melissa Manda - Attorney General's Office
Dan Vornberg - Doe Run
Walter Nowotny - Doe Run

